

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner

v.

IMAGE PROCESSING TECHNOLOGIES LLC,
Patent Owner

Case IPR2017-01231
U.S. Patent No. 7,650,015

JOINT MOTION TO TERMINATE *INTER PARTES* REVIEW

Pursuant to 35 U.S.C. § 317(a), the Petitioner and Patent Owner jointly request termination of this *inter partes* review, which is directed to U.S. Patent No. 7,650,015.

Termination of this review is appropriate because the parties have resolved their dispute regarding U.S. Patent No. 7,650,015 and have reached an agreement to, among other things, terminate this review. Ex. 2001, Settlement Agreement (submitted as business confidential information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c)). “Generally, the Board expects that a proceeding will terminate after the filing of a settlement agreement.” *Oracle Corp. v. Cmty. United IP, LLC*, CBM2013-00015, Paper 13 (July 25, 2013) (citing Office Patent Trial Practice Guide, 77 Fed. Reg. 48756, 48765–66 (Aug. 14, 2012)). The petition for review was filed on March 31, 2017, and the Board has not yet rendered a decision regarding whether trial will be instituted. Thus, the Board has not yet reached any decision on the merits of the proceeding. Termination at this early juncture promotes efficiency, conserves Board resources and minimizes unnecessary costs.

On July 10, 2017, the parties advised the Board that they have reached a settlement, and sought authorization to file a joint motion to terminate the proceeding. The Board authorized the filing of a joint motion to terminate this proceeding on July 13, 2017. Per the Board’s July 13, 2017 Order, a true copy of the parties’ confidential written settlement agreement is being filed as an exhibit

contemporaneously with this joint motion to terminate. The settlement agreement is being filed for access by the “Parties and Board Only.” The parties desire that the settlement agreement be maintained as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), and a separate joint request for such is being filed contemporaneously.

Dated: 7/20/2017

/Chris J. Coulson/

Chris J. Coulson (Reg. No. 61,771)
Lead Counsel for Patent Owner
ANDREWS KURTH KENYON LLP
One Broadway
New York, NY 10004-1007
Tel.: (212) 425-7200
Fax: (212) 425-5288
chriscoulson@andrewskurthkenyon.com

/John Kappos/

John Kappos (Reg. No. 37,861)
Lead Counsel for Petitioner
O’MELVENY & MEYERS LLP
610 Newport Center Drive, 17th Floor
Newport Beach, CA 92660
Tel.: (949) 760-9600
jkappos@omm.com

Nicholas J. Whilt (Reg. No. 72,081)

nwhilt@omm.com

Brian M. Cook (Reg. No. 59,356)

bcook@omm.com

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on July 20, 2017, the foregoing document was served via electronic mail upon the following counsel of record for the Petitioner:

John Kappos (Reg. No. 37,861)
O'Melveny & Myers LLP
610 Newport Center Drive, 17th Floor
Newport Beach, CA 92660
jkappos@omm.com

Nicholas J. Whilt (Reg. No. 72,081)
O'Melveny & Myers LLP
400 South Hope Street, 18th Floor
Los Angeles, CA 90071
nwhilt@omm.com

Brian M. Cook (Reg. No. 59,356)
O'Melveny & Myers LLP
400 South Hope Street, 18th Floor
Los Angeles, CA 90071
bcook@omm.com

IPTSAMSUNGOMM@OMM.COM

/Chris J. Coulson/

Chris J. Coulson
ANDREWS KURTH KENYON LLP
One Broadway
New York, NY 10004-1007
Tel.: (212) 425-7200
Fax: (212) 425-5288